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jc662 U.S. PTO

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CASE DOCKET NO. 1567

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jc598 U.S. PTO
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TRANSMITTED HERewith FOR FILING IS THE PATENT APPLICATION OF

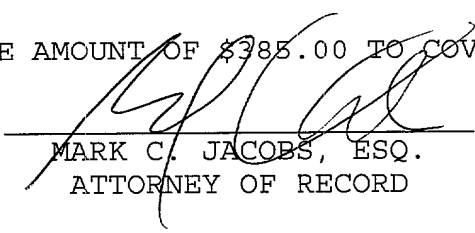
INVENTOR: Phillip Apple
FOR: CLOSEABLE THATCHED UMBRELLA

ENCLOSED ARE:

- ☒ 3 SHEETS OF DRAWINGS.
- ☒ VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS.
- ☒ AN ASSIGNMENT OF THE INVENTION TO AMERICAN HOLTZKRAFT INC.
- ☐ A CERTIFIED COPY OF A _____ APPLICATION.
- ☐ ASSOCIATE POWER OF ATTORNEY.

CLAIM AS FILED				
FOR	# FILED	# EXTRA	RATE	BASIC FEE \$345.00
TOTAL CLAIMS	8-20		x \$ 9.00	\$
INDEPENDENT CLAIMS	2-3		x \$39.00	
		ASSIGNMENT FEE	\$40.00	\$ 40.00
		TOTAL FILING FEE		\$ 385.00

- ☒ A CHECK IN THE AMOUNT OF \$385.00 TO COVER THE FILING FEE IS
ENCLOSED.


MARK C. JACOBS, ESQ.
ATTORNEY OF RECORD

Applicant or Patentee: Phillip Apple
Serial or Patent No.:
Filed or Issued:
Title: CLOSEABLE THATCHED UMBRELLA

Attorney's
Docket No.: 1567

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office regarding the invention entitled CLOSEABLE THATCHED UMBRELLA described in:

☒ the specification filed herewith.
☐ application serial number _____, filed _____.
☐ patent number _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:*

☒ No such person, concern or organization
☐ Persons, concerns or organizations listed below*

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____	NAME _____	NAME _____
ADDRESS _____	ADDRESS _____	ADDRESS _____
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> SMALL BUSINESS CONCERN <input type="checkbox"/> NONPROFIT ORGANIZATION		
NAME _____	NAME _____	NAME _____
ADDRESS _____	ADDRESS _____	ADDRESS _____
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> SMALL BUSINESS CONCERN <input type="checkbox"/> NONPROFIT ORGANIZATION		
NAME _____	NAME _____	NAME _____
ADDRESS _____	ADDRESS _____	ADDRESS _____
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> SMALL BUSINESS CONCERN <input type="checkbox"/> NONPROFIT ORGANIZATION		

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Phillip Apple

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Signature of inventor

Signature of inventor

Signature of inventor

Date

Date

Date

1 **TITLE OF THE INVENTION: CLOSEABLE THATCHED UMBRELLAS**

2 **FIELD OF THE INVENTION**

3 This invention pertains to an umbrella that opens and
4 closes, and has the authentic appearance of a Pacific Island
5 or Carribean thatch umbrella, yet it protects you from the
6 rain.

7 **BACKGROUND OF THE INVENTION**

8 Many tourists from the west coast of the United States
9 spend their holidays in Hawaii or in other south sea islands
10 such as Tonga or Fiji. People from the east coast spend their
11 warm climate holidays in the islands of the Carribean Sea. In
12 all of these locations, one will note thatch umbrellas dotting
13 the landscape. Such thatched umbrellas may be woven from such
14 materials as banana leaves, palm leaves, sugar cane and other
15 indigenous materials.

16 It is also known that in the tropical areas, thatching is
17 used as a mode of building construction. Thatched roofs
18 normally, however, are 6 to 12 inches thick, in order to try
19 to keep out the tropical rains. Sometimes they succeed and
20 sometimes they do not.

21 On the other hand, it is well known that the thatched
22 umbrellas, serve only to protect one from the tropical sun and
23 not from the tropical rain. That is because the thatching of
24 the umbrellas is normally only 1 to 3 inches thick. In essence
25 they "leak like a sieve".

26 American homeowners, and especially those in the warmer
27 climates of California, Arizona, New Mexico and Florida love
28 the appearance of thatched umbrellas, but the practical side,
29 which dictates a need for protection from the rain as well as
30 protection from the sun, comes into play.

31 Therefore it is one object of this invention to provide
32 an umbrella that has the appearance of a South Seas thatched
33 umbrella.

34 It is another object of the invention to provide a
35 tropical appearing thatched umbrella that protects persons
36 beneath the umbrella from the rain.

37 It is a third object of this invention to provide a
38 thatched umbrella that can be opened and closed as may be

desired, particularly in the case of high winds.

It is yet another object to provide a thatched umbrella that may be made in large sizes such as anywhere from 6 to 12 feet in diameter.

It is still another object to provide a thatched umbrella that can be readily stowed away during periods when nonuse is desired.

A yet further object is to provide a thatched umbrella that is readily portable and relatively light in weight.

Other objects of the invention will in part be obvious and will in part appear hereinafter.

The invention accordingly comprises the device possessing the features properties and the relation of components which are exemplified in the following detailed disclosure and the scope of the application of which will be indicated in the appended claims.

For a fuller understanding of the nature and objects of the invention reference should be made to the following detailed description, taken in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE FIGURES

FIG. 1 is a top plan view of a jig used to make the thatch covering forming part of this invention

FIG. 2 is a top plan view of a continuously woven thatch annulus prepared according to this invention.

FIG. 3 is a diagrammatic view illustrating the various layers involved in this structure.

FIG. 4 is a sectional view of the umbrella of this invention to illustrate the assembly thereof.

FIG. 5 is a perspective view of the umbrella of this invention in open position.

FIG. 6 is a perspective view of the umbrella of this invention in closed position.

FIG. 7 is a detailed sectional view of an alternative typical umbrella mode of construction that can be employed with this invention.

FIG. 8 is a top plan view of an alternate embodiment of the thatch overlay, wherein the woven thatch is configured as a disk.

SUMMARY OF THE INVENTION

A thatched umbrella having the appearance of an authentic South Sea Islands umbrella, yet possessing all the practicality of a garden umbrella in that it protects the persons beneath it from the rain. The umbrella can be opened and closed as needed for transportation, relocation, and storage.

The device of this invention comprises a layer of a continuously woven circular thatch attached to an acrylic or other water resistant fabric canopy mounted to an openable-closeable umbrella frame.

DESCRIPTION OF THE PREFERRED EMBODIMENT

In FIG. 1 there is seen a circular jig which may range from about 6 to 12 feet in diameter, though larger and smaller diameters are also envisioned. The diameter of the jig will correspond to the ultimate diameter of the umbrella to be manufactured according to this invention.

Jig 10 comprises a circular hoop 11 having a plurality of spaced ribs or radii 12. Here 8 are shown. The number of radii may be larger or smaller than 8, as may be desired. Spaced preferably uniformly along the length of each of the radii are a series of guide pins, 13 which pins serve to retain the thatch material in place during the course of the weaving process. If the radii are metal stamps or extrusions, the guide pins 13 may be attached to the metal radii as by welding, brazing, gluing or any other known means of securing. The radii may also be wood struts, in which case the guide pins can be attached as by nailing, screwing, or gluing. The hoop 11 is most appropriately metal such as flexible steel or aluminum though wood or plastic construction is also contemplated.

Center point 14 denotes the intersection of all of the radii 12. The thatch annulus 20 may be woven in any particular pattern as is known to those of ordinary skill in the weaving art.

In FIG. 2, the continuously woven circular thatch is configured as a thatched annulus, 20. It is within the ready skill of a weaver, to prepare a continuous thatch circle the diameter of which would match the diameter of the jig being employed. The leaves used for the thatch may be coconut palm, banana palm, sugar cane or any other long pliable leaf that can be woven by methods handed down from generation to generation. The actual weaving technique employed is not related to this invention. The center opening 21 of the woven annulus, permits the thatch to be applied to the umbrella structure by overlaying the thatch annulus on a canopy followed by the addition of a finial.

It is also within the scope of the application to employ as the continuously woven circular thatch, a thatched disk 20-D instead of an annulus. That is, there would be no central

opening. Such a disk configuration would be utilized if the construction of the umbrella were to omit a top finial. See FIG. 8.

Reference is now made to FIG. 3, which shows the layers that form the umbrella structure of this invention. In this figure, 20 represents the thatch layer as has been denoted in FIG. 2. The acrylic or other material canopy found in a umbrella is designated layer 25, while the layer 32 designates the wood or metal rib of the umbrella to which the thatch is attached with the canopy layer being interposed there between. For reference, it is seen that the canopy has an exterior surface and an interior surface. The interior surface overlays the umbrella frame, and the exterior surface of the canopy interfaces the woven thatch.

FIG. 4 is related to FIG. 3 in that shows the relative disposition of the various layers that form the construction of the umbrella. Here the thatch 20 is seen to be overlaid upon the canopy layer 25. Suitable canopy materials include the previously noted acrylic, as well as polyester, nylon, cotton and canvas. Woven acrylic fabric of about 9.5 oz is the preferred canopy material.

In the umbrella construction illustrated, the series of spaced ribs 32, are seen to have an optional small reinforcing gusset 33 spaced at various locations along the length thereof for added strength.

To permit the opening and closing of the umbrella, each rib 32 includes a small rib arm 37 disposed normal to the length of the rib. Each rib arm, at one end, includes a suitable aperture for connection of a strut 34 by pin 38 which passes through an unseen aperture in said strut to connect the strut to the rib arm, 37. The rib arm at its opposite end is connected in conventional fashion to hub 35. Hub 35 is disposed in conventional fashion on pole 36.

The reader's attention is turned now to FIG. 7, which is a partial recreation of FIG. 3 of applicant's U.S. Patent 5,020,557 issued June 4, 1991. This now prior art patent illustrates yet another means of connecting a strut 34A to the rib 32A, which strut is connected to hub 35A. The disclosure

1 of the Apple patent 5,020,557 is incorporated herein by
2 reference to help emphasize the point that there is no
3 criticality to the construction employed for the struts, ribs,
4 hub and pole of the invention of this application.

5 Returning to FIG. 4, it is seen that the thatch is applied
6 through the canopy layer to each of the spaced ribs, by
7 utilizing a series of screws 26 for example, as is shown in the
8 figure. If the ribs are wood, then common wood screws,
9 preferably of a galvanized or stainless steel material should
10 be employed. If the ribs are of metal, then self-tapping
11 screws commonly used in the metal arts also preferably of
12 stainless steel, brass or galvanized material should be
13 employed.

14 When the thatch annulus is overlaid on the canopy, the
15 central opening is fitted over the pole. This helps to align
16 the thatch to the canopy. Once the thatch is secured as
17 discussed infra, the finial is attached on the top of the pole
18 by any means known to the art.

19 As to the opening and closing aspect of the umbrella, any
20 conventional opening and closing mechanism, such as the one
21 disclosed in the aforementioned Apple patent may be employed
22 to open and close the umbrella of this invention upon demand
23 of the user. The opening and closing mechanism is disposed
24 upon the pole of the umbrella.

25 *****

26 In conclusion it is seen that by employing a continuous
27 one piece thatch annulus, and overlaying it upon a rain
28 retarding canopy attached to an umbrella frame, securing the
29 thatch to the umbrella frame, with the annular opening fitting
30 over the pole, and then adding a finial to the top of the
31 pole, I have provided what appears to be a South Seas thatched
32 umbrella, with all of the practicality associated with a rain
33 retarding garden umbrella, that lessens the amount of rain to
34 impact persons therebeneath.

35 Since certain changes may be made in the described device
36 without departing from the scope of the invention herein
37 involved, it is intended that all matter contained in the above
38 description and shown in the accompanying drawings shall be

1 I Claim:

2 1. A thatched umbrella having the appearance of a South
3 Seas or Caribbean umbrella but which is openable and closeable,
4 which umbrella comprises:

5 a) a continuous woven one piece circular thatch,

6 b) an umbrella frame having a series of ribs, each of
7 which is interconnected to a strut, each of which struts is
8 interconnected to a hub, said hub disposed upon a pole,

9 c) an umbrella canopy, having an exterior surface,
10 overlaying and connected to said frame,

11 said woven thatch being disposed upon said canopy's
12 exterior surface, and being connected to said frame's ribs
13 through said canopy, and

14 d) means for opening and closing said frame disposed on
15 said pole.

16 2. The device of claim 1 wherein the circular thatch is
17 configured as an annulus.

18 3. The device of claim 1 wherein the circular thatch is
19 configured as a disk.

20 4. The device of claim 1 wherein the canopy is selected
21 from a fabric member selected from the group consisting of
22 acrylic, polyester, nylon, cotton and canvas.

23 5. The device of claim 1 wherein the woven thatch is
24 connected to the umbrella frame by a series of spaced screws.

25 6. The device of claim 1 further including a finial
26 disposed on said pole.

27 7. The device of claim 2 further including a finial
28 disposed on said pole.

29 8. A thatched umbrella having the appearance of a South
30 Seas or Caribbean umbrella but which is openable and closeable,
31 which umbrella comprises:

32 a) a continuous woven one piece circular thatch,

33 b) an umbrella frame having a series of metal ribs, each
34 of which is interconnected to a metal strut, each of which
35 struts is interconnected to a hub, said hub disposed upon a
36 pole,

37 c) an umbrella canopy made of acrylic fabric, having an
38 exterior surface, overlaying and connected to said frame,

1 said woven thatch being disposed upon said canopy's
2 exterior surface, and being connected to said frame's ribs
3 through said canopy by a series of spaced screws, and
4 d) means for opening and closing said frame disposed on
5 said pole.

Fig. 1

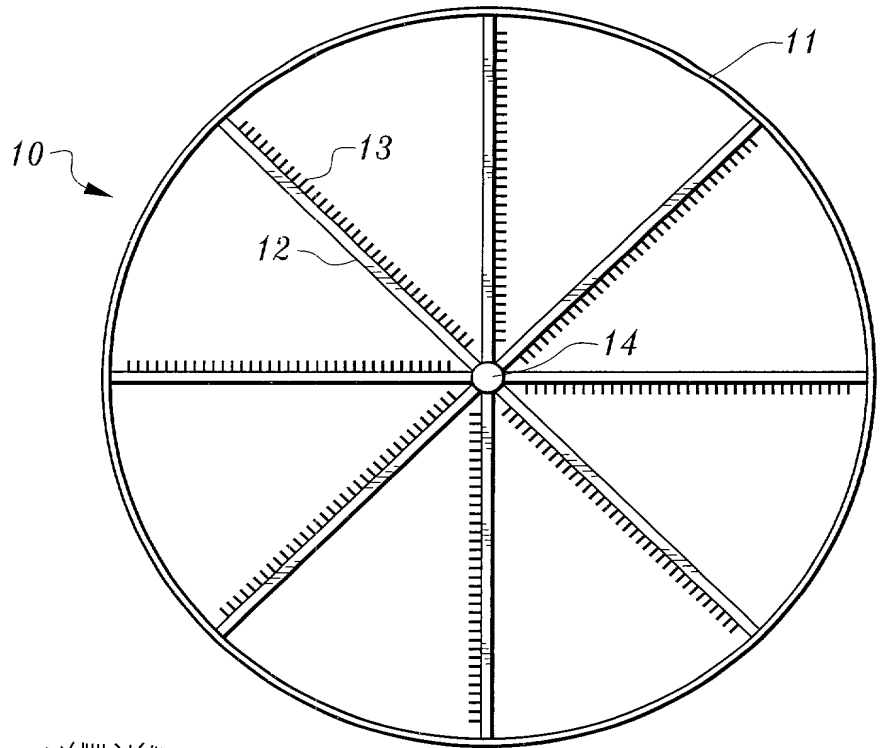


Fig. 2

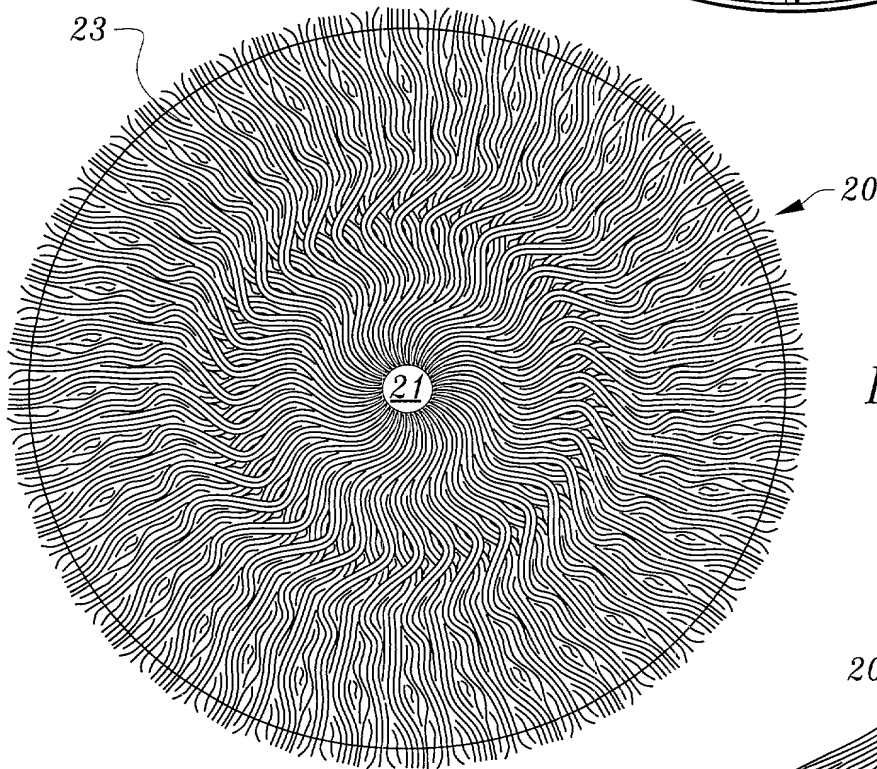
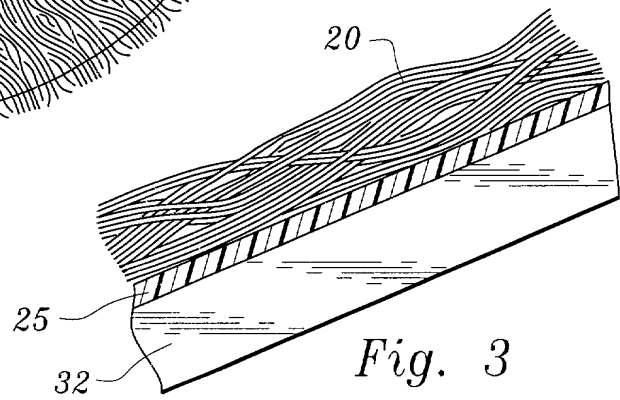
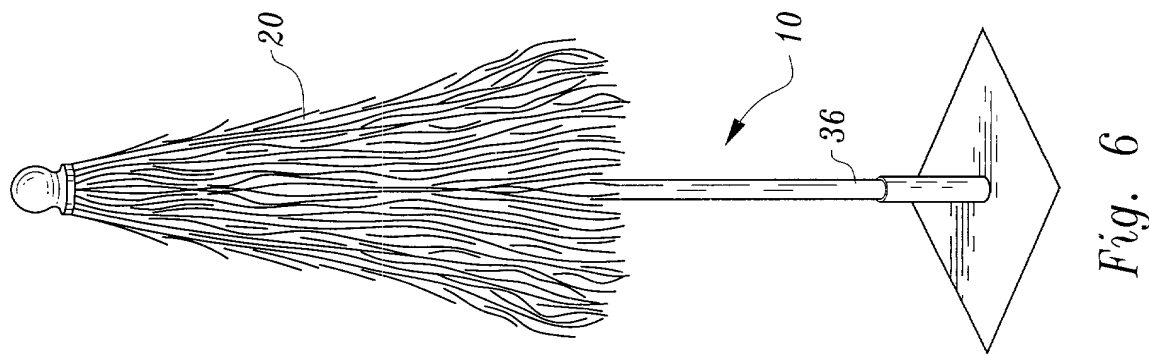
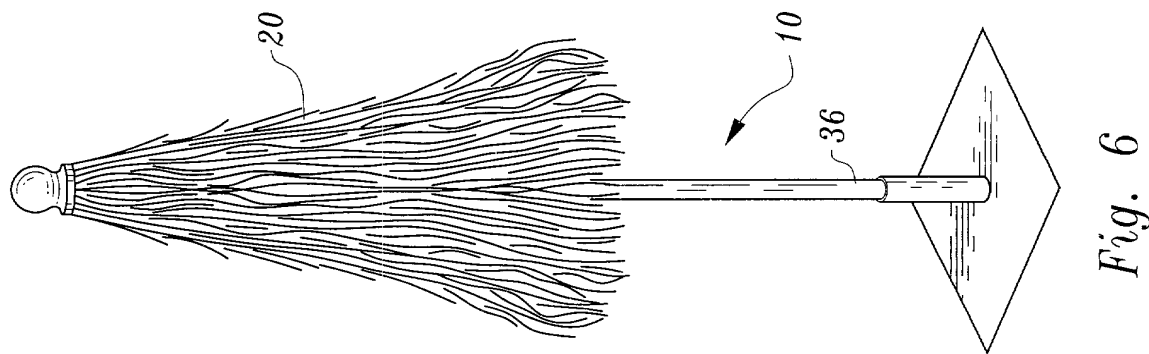
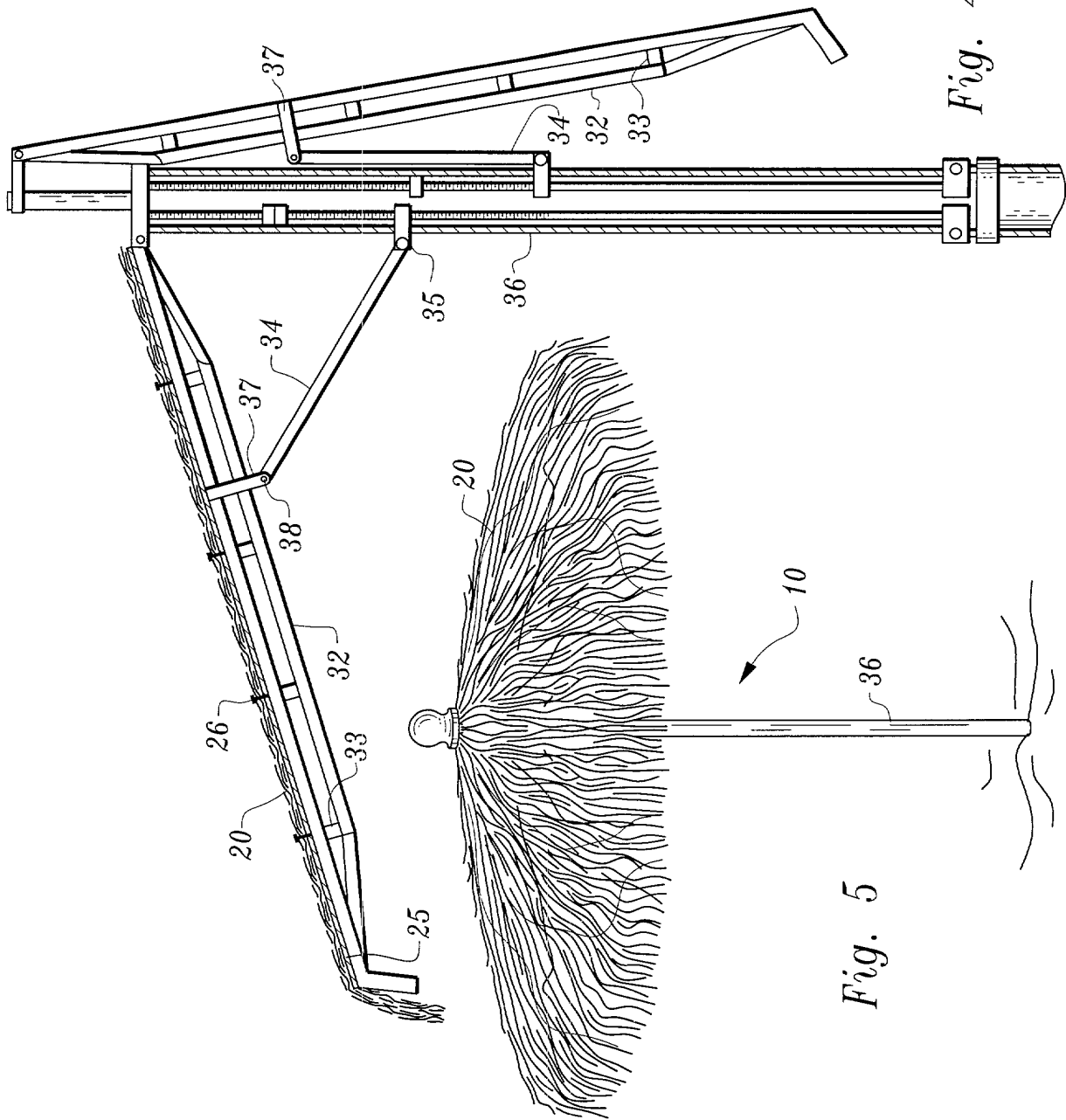


Fig. 3





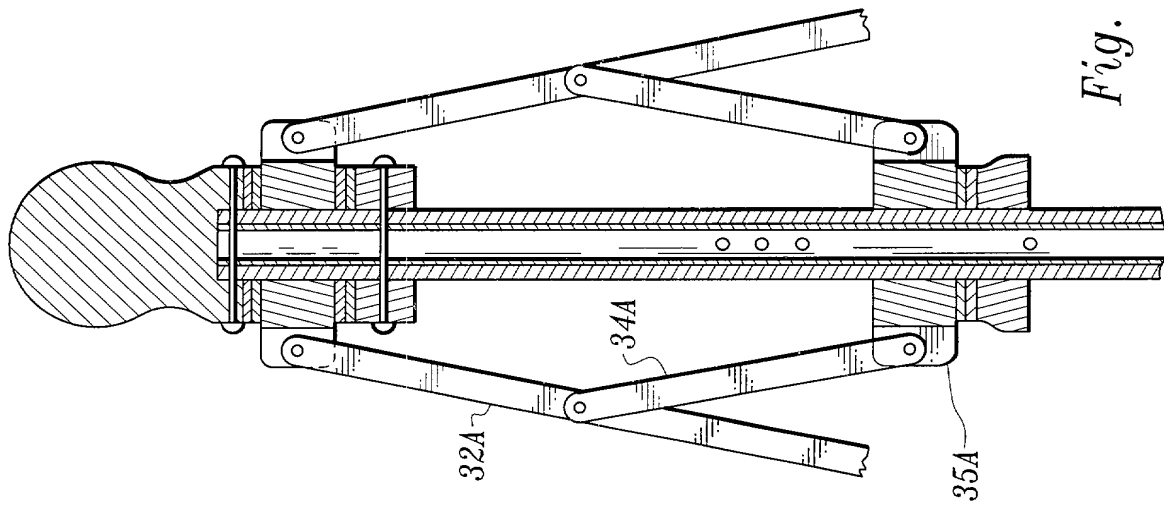


Fig. 7

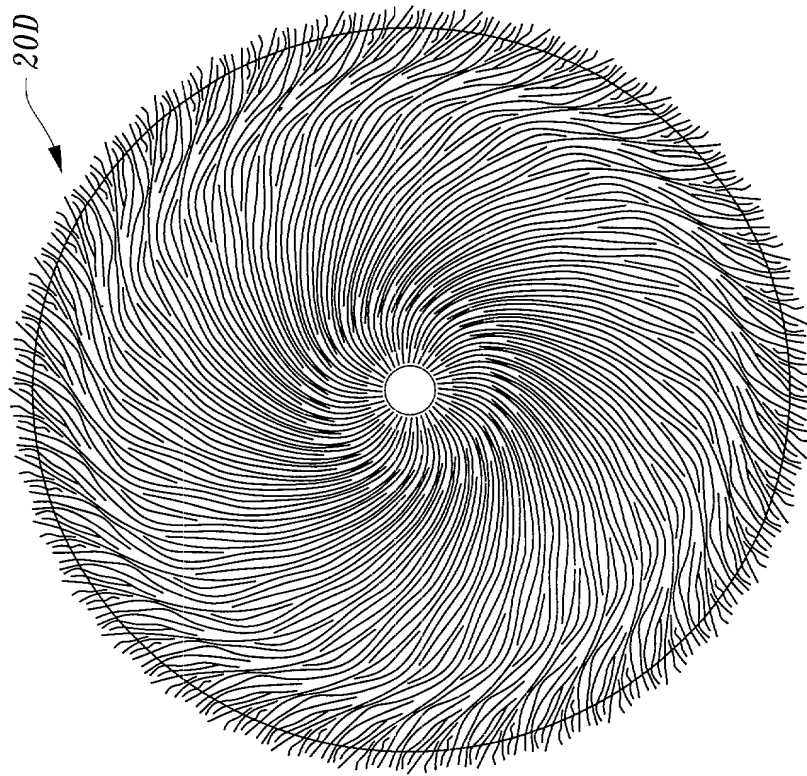


Fig. 8

1 COMBINED DECLARATION AND POWER OF ATTORNEY
2 IN ORIGINAL APPLICATION

ATTORNEY DOCKET NO. 1567

3
4 As a below named inventor I hereby declare that:
5 my residence, post office address and citizenship are as stated below
6 next to my name; that I verily believe that I am the original, first and
7 sole inventor (if only one name is listed below) or a joint inventor (if
8 plural inventors are name below) of the invention entitled:

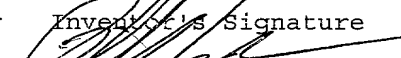
9 CLOSEABLE THATCHED UMBRELLA

10 described and claimed in the attached specification, that I have reviewed
11 and understand the contents of the attached specification, including the
12 claims, as amended by any amendment specifically referred to in the oath
13 or declaration; that I do not know and do not believe the same was ever
14 known or used in the United States of America before my or our invention
15 thereof, or patented or described in any printed publication in any country
16 before my or our invention thereof, or more than one year prior to this
17 application; that the same was not in public use or on sale in the United
18 States of America more than one year prior to this application, that the
19 invention has not been patented or made the subject of an inventor's
20 certificate issued before the date of this application in any country
21 foreign to the United States of America on an application filed by me or
22 my legal representatives or assigns more that twelve months prior to this
23 application that I acknowledge my duty to disclose information of which I
24 am aware which is material to the examination of this application in
25 accordance with § 1.56(a), and that no application for patent or inventor's
26 certificate on this invention has been filed in any country foreign to the
27 United States of America prior to this application by me or my legal
28 representatives or assigns, except as follows: NONE

29 I hereby appoint the following attorney(s) and/or agents(s) to
30 prosecute this application and to transact all business in the Patent and
31 Trademark Office connected therewith:

32 Mark C. Jacobs, Esq. Registration No. 24043
33 3033 El Camino Avenue Sacramento, California 95821
34 Address all telephone calls to Mark C. Jacobs, Esq.
35 at Telephone No. (916) 485-5000
36 Address all correspondence to Mark C. Jacobs, Esq.
37 3033 El Camino Avenue Sacramento, California 95821
38

39 I hereby declare that all statements made herein of my own knowledge
40 are true and that all statements made on information and belief are
41 believed to be true; and further that these statements were made with the
42 knowledge that willful false statements and the like so made are punishable
43 by fine or imprisonment, or both, under Section 1001 of Title 18 of the
44 United States Code and that such willful false statements may jeopardize
45 the validity of the application or any patent issued thereon.

46
47 Full Name of Sole or First Inventor Inventor's Signature Date
48 Phillip Apple  3/6/00

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50 Residence Citizenship
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53 Post Office Address
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55
56 Full Name of Second Joint Inventor, If Any Inventor's Signature Date

57
58
59 Residence Citizenship

60
61
62 Post Office Address
63
64
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